IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 7TH MARCH 2007 / 16TH PHALGUNA 1928

WP(C).No. 6943 of 2007(B)

PETITIONER:

CHANDRA BOSE, S/O.KRISHNAN,
MANNIKKALA VEEDU, MYLAMKULAM PUTHOOR P.O.,
KULAKKADA VILLAGE, KOTTARAKKARA, KOLLAM DISTRICT.

BY ADV. SRI.B.MOHANLAL

RESPONDENTS:

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1. THE KERALA STATE FINANCIAL CORPORATION
REPRESENTED BY MANAGING DIRECTOR,
VELLAYAMBALAM, THIRUVANANTHAPURAM.

2. THE CHIEF MANAGER, KERALA STATE
FINANCIAL CORPORATION, DISTRICT OFFICE,
CHINNAKKADA, KOLLAM.

3. VENU @ RAJENDRAN, NEDIYAVIL VEEDU,
MAVADI P.O., PUTHOOR, KOTTARAKKARA,
KOLLAM DISTRICT.

4. R.JAYACHANDRAN NAIR, S/O.K.RAGHAVAN
PILLAI, SREE RAGHAM, VENDAR P.O.,
PUTHOOR, KOTTARAKKARA, KOLLAM.

BY SC ADV.SRI. A.A.ABDUL HASSAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 07/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B. RADHAKRISHNAN, J.

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W.P.(C) No.6943 Of 2007

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Dated this the 7th day of March, 2007.

J U D G M E N T

The petitioner obtained Ext.P1 ex parte decree against the 3rd respondent and attached an item of property which stood mortgaged by the 3rd respondent to the 2nd respondent, KFC. The KFC filed a claim petition and obtained Ext.P2 order with the writ petitioner on the array. That order has become final. The petitioner now seeks to make out a case that the sale by the KFC on the strength of mortgage in favour of the 4th respondent is a fradulent transaction. I am not impressed. At any rate, the claim of the petitioner as against KFC stands concluded *inter partis* by Ext.P2 judgment, which has become final.

The writ petition fails and is hence dismissed.

THOTTATHIL B. RADHAKRISHNAN,
JUDGE.

sj